

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER GROTH,

Defendant.

4:22CR3018

GOVERNMENT OPPOSITION TO  
DEFENDANT'S MOTION TO  
CONTINUE

COMES NOW the Plaintiff, United States of America, filing its opposition to the Defendant's motions to continue the sentencing deadlines and hearing. (Filing Nos. 85 and 86). In support of its opposition the United States indicates as follows:

1. The Defendant in this case was arrested and first charged on February 15, 2022. (Filing No. 1). He entered pleas of guilty to two different counts on March 8, 2023, and March 20, 2023, the second of which was on the eve of trial. (Filing No. 49 and 79). During the hearing for both pleas, the Court indicated that the sentencing of this matter would be set for June 5, 2023. (Id.). The Defendant did not object to this setting during either hearing. (Id.).

2. On May 11, 2023, the Court issued an order continuing the deadline for objections to the presentence investigation report, thus allowing the parties more time to file their objections and briefs while keeping the sentencing date as previously scheduled. (Filing No. 84).

3. Title 18, United States Code, Section 3771 outlines statutory rights that are afforded to victims of criminal cases. Subsection (a)(7) explicitly states that a crime victim has the right "to proceedings free from unreasonable delay." The child victims' mother, as the lawful representative of the victims, (*see* § 3771(d)(1)), has been very actively participating in this case and in asserting the rights of herself and her children. Each continuance requested and granted in this matter has

affected their right to proceedings free from unreasonable delay and has caused upheaval in their process of emotional healing and sense of normalcy in their lives and schedules.

For these reasons, the Government respectfully requests the sentencing of this matter remain on the calendar for June 5, 2023. In the event the Court grants the continuance, the Government requests that the continuance be as short as possible to not further delay the resolution of this matter.

Dated this 19th day of May, 2023.

Respectfully submitted,

UNITED STATES OF AMERICA,  
Plaintiff

STEVEN A. RUSSELL  
United States Attorney

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